

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

ALL ACTIONS

Judge Patti B. Saris

**THE J&J DEFENDANTS' INDIVIDUAL  
DISCLOSURES PURSUANT TO FED R. CIV. P. 26(a)(3)(A)**

**I. TRIAL WITNESSES CALLED LIVE**

**A. Experts**

The J&J Defendants reserve the right to call any witnesses identified by Plaintiffs or the Track 1 Joint Defendants.

NAME AND ADDRESS	WILL TESTIFY	MAY TESTIFY
Jayson S. Dukes  FTI Consulting, Inc. One Atlantic Center 1201 West Peachtree Street Suite 500 Atlanta, Georgia 30309 (404) 460-6221	X	

**B. Other Witnesses**

The J&J Defendants reserve the right to call any witnesses identified by Plaintiffs or the Track 1 Joint Defendants.

NAME AND ADDRESS	WILL TESTIFY	MAY TESTIFY
Cathy Dooley Johnson & Johnson 1350 I Street, N.W. Suite 1210 Washington, D.C. 20005-3305 (202) 589-1000		X
Thomas Hiriak Ortho Biotech Products, L.P. 430 Route 22 East Bridgewater, NJ 08807-0914 (908) 541-4000		X
John Hoffman Centocor, Inc. 800/850 Ridgeview Drive Horsham, PA 19044 (610) 651-6000		X
Julie McHugh Centocor, Inc. 800/850 Ridgeview Drive Horsham, PA 19044 (610) 651-6000	X	
William Pearson Ortho Biotech Products, L.P. 430 Route 22 East Bridgewater, NJ 08807-0914 (908) 541-4000	X	

## II. EXHIBITS

The J&J Defendants reserve the right to introduce any exhibits or portions thereof identified by Plaintiffs or the Track 1 Joint Defendants. The J&J Defendants also designate all data produced by each of the Plaintiffs which is being relied on by the J&J Defendants' experts or the Track 1 Joint Defendants' experts.

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2750	Exh. 1 to the Declaration of Thomas C. Hiriak in Support of the Johnson & Johnson Defendants' Motion for Summary Judgment as to Class 1 and Class 2 ("Hiriak Decl.")		6/29/93	Hiriak Decl. 1: Western Union Mailgram from Dennis Cleary to Retail Pharmacist concerning pharmacy rebate program:	
2751			1994	Hiriak Decl. Ex. 1: Promotion flyer "New Rebate Program in Effect Through June 30, 1994"	
2752			1994	Hiriak Decl. Ex. 1: Promotion flyer "Valuable Rebate Offered Through December 1994"	
2753			5/2/94	Hiriak Decl. Ex. 1: Invoice # 000141094 for rebate to pharmacist	
2754			6/27/94	Hiriak Decl. Ex. 1: Stat/Gram concerning pharmacy rebate program	
2755			1998	Bindley Western Drug Co. Wholesale Price Catalog	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2756			11/29/93	Hiriak Decl. Ex. 3: Letter to physician enclosing rebate	
2757			3/22/94	Hiriak Decl. Ex. 3: Stat/Gram concerning physician rebate program	
2758			1993	Hiriak Decl. Ex. 3: Promotion flyer "Order PROCRIT and Continue to Receive an 8% Rebate"	
2759			1994	Hiriak Decl. Ex. 3: Stat/Gram "Save on Procrit with our new rebate program"	
2760				Hiriak Decl. Ex. 5: Procrit and Epogen AWP and Effective Dates	
2761	MDL- OBI00063700	MDL- OBI00063702	10/9/00	Hiriak Decl. Ex. 6: Document re U.S. Oncology's negative assessment of Procrit's reimbursement position	
2762	Exh. 5 to the Declaration of Andrew D. Schau in Support of the Johnson & Johnson Defendants' Motion for Summary Judgment as to Class 1 and Class 2		9/21/01	Excerpts from testimony of Zachary T. Bentley, Ven-A-Care; "Medicare Drug Reimbursements: A Broken System for Patients and Taxpayers," Joint Hearing Before the Subcommittee on Health et al., September 21, 2001, Serial No. 107-65	
2763	MDL- OBI00002588	MDL- OBI00002595	1/1/01	Rebate Agreement w/ Keystone Mercy	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2764	MDL-OBI00030404	MDL-OBI00030412	12/1/01	Rebate Agreement w/ El Dorado Hematology Medical Oncology	
2765	MDL-OBI00031940	MDL-OBI00031948	4/1/01	Rebate Agreement w/ Internal Medicine Associates	
2766	MDL-OBI00017307	MDL-OBI00017307	Undated	Procrit PEP Experience Program	
2767	MDL-OBI00042743	MDL-OBI00042743	11/20/01	Memorandum to Nephrology Field Sales concerning "Competitive Position"	
2768	MDL-OBI00012152	MDL-OBI00012199	Undated	Key Selling Points – Objections and Responses	
2769	MDL-OBI00006540	MDL-OBI00006571	Undated	Strategic Customer Group Workshop	
2770	MDL-OBI00008396	MDL-OBI00008423	5/7/02	Strategic Customer Group Update, Oncology and Critical Care Managers' Meeting	
2771	MDL-OBI00041918	MDL-OBI00041976	5/7/02	Strategic Customer Group Update, Oncology and Critical Care Franchisees Managers' Meeting	
2772	MDL-OBI00040740	MDL-OBI00040772	4/16/03	"A Reimbursement Review" by Becky Hayes and Jeanette Dominguez	
2773	MDL-OBI00040966	MDL-OBI00040969	Undated	"Least Costly Alternative Q/A"	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2774	MDL-OBI00043351	MDL-OBI00043383	5/5/02	Email, with attachments, dated from Mark Reese to Bill Pearson (et al.) re "Medicare/Medicaid Updates and Strategies"	
2775	MDL-OBI00007368	MDL-OBI00007375	Undated	"Option Paper on AWP Reform"	
2776	MDL-OBI00050429	MDL-OBI00050429	Undated	"AWP Reform – Talking Points"	
2777	MDL-OBI00050431	MDL-OBI00050431	Undated	"AWP Reform – Johnson & Johnson Principles"	
2778	MDL-OBI00050432	MDL-OBI00050433	Undated	"Alternatives to AWP– Pros & Cons"	
2779	MDL-OBI00002838	MDL-OBI00002965	5/15/02	Memo from J Dempsey re "Wholesaler manipulation of AWP"	
2780	MDL-OBI00007628	MDL-OBI00007629	12/7/00	Correspondence re Peter Stark	
2781			12/13/05	Plaintiffs' Supplemental Response to J&J Defendants' Requests for Admission and Interrogatories Concerning Procrit.	
2782			12/12/05	Plaintiffs' Supplemental Response to J&J Defendants' Requests for Admission and Interrogatories Concerning Remicade.	
2783			2/1/06	Complaint in <i>District Counsel 37 Health &amp; Security Plan et al. v. McKesson Corp</i> , C 4:06-cv-00718-SBA (N.D. Cal.)	
2784			5/8/06	Declaration of Jayson S. Dukes ("Dukes Decl.")	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				in Support of the Johnson & Johnson Defendants Motion for Summary Judgment as to Class 1 and Class 1 [Corrected]	
2784-A			Undated	Dukes Decl. Attachment 1: Curriculum Vitae of Jayson S. Dukes	
2784-B			Undated	Dukes Decl. Attachment 2: Statement of Assumptions	
2784-C			Undated	Dukes Decl. Attachment 3: Information Considered	
2784-D			Undated	Dukes Decl. Exhibit 1: Listings of specific transactions excluded from calculations* (Previously provided to Plaintiff electronically)	
2784-E			Undated	Dukes Decl. Exhibit 2: Listings of specific transactions excluded from calculations* (Previously provided to Plaintiff electronically)	
2784-F			12/15/05	Dukes Decl. Exhibit 3: Dr. Hartman's calculations of the Procrit and Remicade ASPs, attachment G.4.a*	
2784-G			12/15/05	Dukes Decl. Exhibit 4: Dr. Hartman's calculations of the Procrit and Remicade spreads, attachment G.4.c*	
2784-H			5/8/06	Dukes Decl. Exhibit 5: FTI Calculations of Procrit's ASPs by NDC and by year*	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2784-I			5/8/06	Dukes Decl. Exhibit 6: FTI Calculations of Procrit's Spreads by NDC and by year*	
2784-J			5/8/06	Dukes Decl. Exhibit 7a: Comparison of Procrit ASPs to Dr. Hartman Declaration dated 12/15/05*	
2784-K			5/8/06	Dukes Decl. Exhibit 7b: Comparison of Procrit ASPs to Dr. Hartman Declaration dated 12/15/05*	
2784-L			5/8/06	Dukes Decl. Exhibit 7c: Comparison of Remicade ASPs to Dr. Hartman Declaration dated 12/15/05*	
2784-M			5/8/06	Dukes Decl. Exhibit 7d: Comparison of Remicade ASPs to Dr. Hartman Declaration dated 12/15/05*	
2784-N			5/8/06	Dukes Decl. Exhibit 8: Annual ASP Calculations from Dr. Hartman Declaration dated 2/3/06*	
2784-O			5/8/06	Dukes Decl. Exhibit 9: Annual Spread Calculations from Dr. Hartman Declaration dated 2/3/06*	
2784-P			5/8/06	Dukes Decl. Exhibit 10: FTI Comparison of ASP Calculations - Dr. Hartman Declaration dated 2/3/06*	
2784-Q			5/8/06	Dukes Decl. Exhibit 11: FTI Comparison of Spread Calculations - Dr. Hartman Declaration	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				dated 2/3/06*	
2784-R			5/8/06	Dukes Decl. Exhibit 12a: Comparison of Procrit ASP Calculations to Dr. Hartman Declaration dated 2/3/06*	
2784-S			5/8/06	Dukes Decl. Exhibit 12b: Comparison of Procrit ASP Calculations to Dr. Hartman Declaration dated 2/3/06*	
2784-T			5/8/06	Dukes Decl. Exhibit 12c: Comparison of Remicade ASP Calculations to Dr. Hartman Declaration dated 2/3/06*	
2784-U			5/8/06	Dukes Decl. Exhibit 12d: Comparison of Remicade ASP Calculations to Dr. Hartman Declaration dated 2/3/06*	
2784-V			5/8/06	Dukes Decl. Exhibit 13: Comparison of Procrit Indirect Sales Excluded Units to Dr. Hartman Declaration dated 2/3/06*	
2784-W			5/8/06	Dukes Decl. Exhibit 14: Procrit Government Transactions FTI Excludes and Dr. Hartman Includes*	
2784-X			5/8/06	Dukes Decl. Exhibit 15: Remicade Government Transactions FTI Excludes and Dr. Hartman Includes*	
2784-Y			5/8/06	Dukes Decl. Exhibit 16: Price Distribution of Procrit Units Sold by	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				Class of Trade*	
2784-Z			5/8/06	Dukes Decl. Exhibit 17: Procrit Spread Calculations Greater Than 30% from Dr. Hartman's Declaration dated 12/15/05*	
2784-AA			5/8/06	Dukes Decl. Exhibit 18: Procrit Spread Calculations Greater Than 30% from Dr. Hartman's Declaration dated 2/3/06*	
2784-BB			5/8/06	Dukes Decl. Exhibit 19: Schedule of transactions omitted from calculations; Centocor represents to be data entry errors* (Previously provided to Plaintiff electronically)	
2784-CC			5/8/06	Dukes Decl. Exhibit 20: Schedule of Transactions excluded from calculations re effects of service fees and discounts* (Previously provided to Plaintiff electronically)	
2784-DD			5/8/06	Dukes Decl. Exhibit 21: Schedule of transactions excluded from calculations re discount fees from Nova Factor and Priority Healthcare* (Previously provided to Plaintiff electronically)	
2784-EE			5/8/06	Dukes Decl. Exhibit 22: Schedule of transactions excluded from calculations re sales orders placed prior to	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				price increase* (Previously provided to Plaintiff electronically)	
2784-FF			5/8/06	Dukes Decl. Exhibits 23 and 24: Schedule of transactions excluded from calculations re units where sale price was 0\$ for Procrit and Remicade* (Previously provided to Plaintiff electronically)	
2785	MDL-CEN000103691	MDL-CEN000103691		Remicade_Livingston Invoices.txt	
2786	MDL-HCS00013636	MDL-HCS00013636		Daf_Data.mdb	
2787	MDL-HCS00275969	MDL-HCS00275969		PSGA Data 12-15-2004.mdb	
2788	MDL-HCS00275971	MDL-HCS00275971		Daf_Data_2003_01_30_2005.mdb	
2789	MDL-OBI00056539	MDL-OBI00056539		PROCRIT_.mdb PROCRIT1.XLS	
2790	MDL-CEN00108048	MDL-CEN00108048		Chargebacks 2003 for awp.xls	
2791	MDL-HCS00013630	MDL-HCS00013630		IMHC_1991.mdb IMHC_1992.mdb IMHC_1993.mdb IMHC_JAN_TO_JUN_1994.mdb IMHC_JAN_TO_JUN_1995.mdb IMHC_JAN_TO_JUN_1996.mdb IMHC_JAN_TO_JUN_1997.mdb IMHC_JAN_TO_JUN_1	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				998.mdb  IMHC_JAN_TO_JUN_1 999.mdb  IMHC_JUL_TO_DEC_ 1994.mdb  CARS_REBATES_FIN AL.mdb	
2792	MDL- HCS00013631	MDL- HCS00013631		IMHC_JUL_TO_DEC_ 1995.mdb  IMHC_JUL_TO_DEC_ 1996.mdb  IMHC_JUL_TO_DEC_ 1997.mdb  IMHC_JUL_TO_DEC_ 1998.mdb	
2793	MDL- HCS00013632	MDL- HCS00013632		OBI_CBK_99_00_02.m db  OBI_CBK_2001.mdb	
2794	MDL- HCS00013634	MDL- HCS00013634		REMICADE CONTRACT DATABASE.mdb	
2795	MDL- HCS00275988	MDL- HCS00275988		OBI_CBK_2003.mdb	
2796	MDL- HCS00282702	MDL- HCS00282702		IMHC_MISSING_2_D AYS_SEND_11112004. xls  Supplemental_Cbks_Pro cDt2004_to_20050511_ 2003- before_invoice.mdb	
2797	MDL- HCS00283267	MDL- HCS00283267		OBI_CBK_2002.mdb	
2798	FTI 00001	FTI 00001		AWP Litigation CB_CustomerList.xls*  CB_Cust_FewOthers.xls *  CB_unique_cust_Additi	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				onal.xls* Remicade_CustomerList.xls* Remicade_CustomerList_Nulls.xls* tbl_CB_unique_cust_Ne w.txt*	
2799	MDL-CEN00108050	MDL-CEN00108050		Rebates by process date w customer name 1-1-01 thru 12-31-03.xls	
2800	MDL-HCS00283269	MDL-HCS00283269		CARSIS_MANAGEDC ARE_NEW_11092004_FINAL.mdb	
2801	FTI 000035	FTI 000035		2006_2_23_Wholesaler Pricing Point.xls	
2802	MDL-CEN00000026	MDL-CEN00000026	6/13/01	Letter re 3.9% price increase for Remicade	
2803	MDL-CEN00000737	MDL-CEN00000737	7/9/02	Letter to Health Net re Amendment to Rebate Agreement	
2804	MDL-CEN00000738	MDL-CEN00000741	1/1/02	Amendment to Health Net Care Systems Rebate Agreement	
2805	MDL-CEN00000882	MDL-CEN00000908	7/1/02	Product Pricing Agreement between HealthPartners, Inc and Health Care Systems Inc.	
2806	MDL-CEN00004003	MDL-CEN00004008	11/18/98	Memo from McDermott re Additional Information on AWP Spread	
2807	MDL-CEN00004027	MDL-CEN00004038	6/18/99	Fax from FirstDataBank to Mike Ziskin, Centocor re New Product Submission form	
2808	MDL-CEN00007528	MDL-CEN00007552	11/27/01	Centocor Commercial Contracting Strategy	
2809	MDL-CEN00013965	MDL-CEN00013965	6/13/01	Letter from Ron Krawczyk to First Data	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
				Bank re 3.9% increase to Remicade list price	
2810	MDL-CEN00013968	MDL-CEN00013968	6/13/01	Letter from Ron Krawczyk to Clinidata re 3.9% increase to Remicade list price	
2811	MDL-CEN00013969	MDL-CEN00013969	6/13/01	Letter from Ron Krawczyk to Red Book re 3.9% increase to Remicade list price	
2812	MDL-CEN00014002	MDL-CEN00014002	6/13/01	Letter from Ron Krawczyk to Cardinal Health Inc. re 3.9% increase to Remicade list price	
2813	MDL-CEN00014004	MDL-CEN00014004	6/13/01	Letter from Ron Krawczyk to Amerisource Corp. re 3.9% increase to Remicade list price	
2814	MDL-CEN00014008	MDL-CEN00014008	6/13/01	Letter from Ron Krawczyk to McKesson HBOC, Inc. re 3.9% increase to Remicade list price	
2815	MDL-CEN00014235	MDL-CEN00014235	11/3/00	Letter from Ron Krawczyk to First Data Bank re 3.8% increase to Remicade list price	
2816	MDL-CEN00014253	MDL-CEN00014253	2/24/00	Memo from Scodari re Remicade 2000 Price Increase	
2817	MDL-CEN00014254	MDL-CEN00014254	Undated	Centocor, Inc. Price Increase History	
2818	MDL-CEN00014322	MDL-CEN00014328	8/22/02	Immunology Business Unit 2003 Business Plan, Executive Summary	
2819	MDL-CEN00014768	MDL-CEN00014790	July, 1999	Remicade Office Based Infusion Guide	
2820	MDL-CEN00024776	MDL-CEN00024790	Undated	Practice Building Opportunities	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2821	MDL-CEN00028906	MDL-CEN00028972	Undated	Remicade Corporate Accounts 2002 Business Plan	
2822	MDL-CEN00030466	MDL-CEN00030467	3/16/98	Memo from Carpenter re Average Acquisition Price vs. Average Acquisition Price with attached 3/13/98 memo re same	
2823	MDL-CEN00044499	MDL-CEN00044504	6/6/01	E-mail from Rick Bierly attaching t. Vernon Remicade Price Increase memo	
2824	MDL-CEN00044764	MDL-CEN00044754	3/23/00	Draft letters re 4.9% Price Increase for Remicade effective 3/23/00	
2825	MDL-CEN00054756	MDL-CEN00054893	1/5/98	Interviews: Presented by NCI Managed Care	
2826	MDL-CEN00064895	MDL-CEN00065029	5/15/97	cA2 Commercialization Strategy Plan	
2827	MDL-CEN00069786	MDL-CEN00069838	5/21/02	E-mail from Michael Ziskind attaching 5/8/02 Infusion Therapy Costs in Physicians' Offices report	
2828	MDL-CEN00085479	MDL-CEN00085524	4/18/02	HCC Training Presented to RBS	
2829	MDL-CEN00091734	MDL-CEN00091958	Undated	Remicade Site of Care (SOC) Training Program	
2830	MDL-CEN00092122	MDL-CEN00092197	12/14/00	Presentation: Health Care Compliance (HCC)	
2831	MDL-CEN00093041	MDL-CEN00093151	7/28/00	Remicade: Practice management Program Goal for PMP	
2832	MDL-CEN00094118	MDL-CEN00094135	5/21/02	May, 2001 Pricing Update	
2833	MDL-CEN00098193	MDL-CEN00098198	11/18/99	Centocor's Health Care Compliance Project, Fraud and Abuse, Presentation to Management Board	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2834	MDL-CEN000103407	MDL-CEN000103447	Undated	Centocor Practice Management Tools Coding, Coverage, and Reimbursement	
2835	MDL-CEN000104171	MDL-CEN000104176	6/7/02	RBS Scenario Role Play Talk Track	
2836	MDL-CEN000106858	MDL-CEN000106903	Sept. 1997	Strategic Marketing Corp. A Qualitative Assessment of Third Party Payors' Acceptance of CenTNF, a Monoclonal Antibody (MAB) for the Treatment of Crohn's Disease, Interim Report	
2837			3/14/96	Memo from Mooney to Duxbury re: expense report	
2838			10/18/96	Memo from Wood to Duxbury re: expense report errors	
2839			11/27/96	Memo from Wood to Duxbury re: Verbal Warning for work performance	
2840			12/3/96	Duxbury Performance review	
2841			3/24/97	Memo from Wood to Duxbury re: performance	
2842			4/6/98	Memo from Woodhouse to Duxbury re: late reporting of administrative responsibilities	
2843			4/23/98	Memo from Woodhouse to Duxbury re: performance	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2844			5/02/98	Memo from Ashe to Duxbury re: Verbal Warning for performance	
2845			6/18/98	Memo from Woodhouse to Duxbury re: Performance Evaluation and Written Warning	
2846			7/20/98	Memo from Duxbury to Woodhouse re: Resignation	
2847			8/10/98	Letter from Duxbury to unknown party ( <i>believed to be State of Washington Employment Security Department</i> ) re: working conditions and validity of Amgen's suit against Ortho Biotech	
2848			9/18/98	State of Washington Employment Security's Denial of Duxbury's claim for benefits	
2849			10/19/98	Duxbury's Notice of Appeal with attached letter from Duxbury	
2850			7/16/01	Summons and Complaint filed by Duxbury against Ortho Biotech re: wrongful discharge and breach of contract	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2851			3/21/03	Order Granting Summary Judgment for Ortho Biotech in Duxbury v. Ortho Biotech	
2852			5/3/04	Court of Appeal for the State of Washington decision affirming Summary Judgment in Duxbury v. Ortho Biotech	
2853			7/12/05	Government's Notice of Election to Decline Intervention in Duxbury's <i>qui tam</i> proceeding against Ortho Biotech	
2854			7/12/05	Order from the District Court unsealing the complaint in Duxbury's <i>qui tam</i> proceeding against Ortho Biotech and ordering Duxbury to serve the complaint on Ortho Biotech	
2855			4/28/06	Declaration of Mark E. Duxbury	
2856			9/15/06	Relator's Emergency Motion Requesting a Temporary Stay of the Court's 7-12/-5 Order	
2857	MDL-JAN00180843	MDL-JAN00180844	6/12/02	E-mail from Mike Borgia re AWP Change with First Data Bank	

<b>Ex. No.</b>	<b>Beginning Bates Range:</b>	<b>End Bates Range:</b>	<b>Date</b>	<b>Description</b>	<b>Objections</b>
2858	MDL-JAN00114976	MDL-JAN00114976	5/15/02	E-mail from William Parks re Price Alert Change to our AWP	
2859	MDL-CEN00005508	MDL-CEN00005510	2/21/02	E-mail from Michael Ziskind re AWP Pricing – Per my voicemail	
2860	MDL-JAN00006938	MDL-JAN00006940	7/16/02	E-mail from William Parks re Price Alert Change to our AWP	
2861	MDL-JJ00000168	MDL-JJ00000171	9/27/02	E-mail from Alex Gorsky re AWP Reporting Issue: an overview	
2862	MDL-CEN00002717	MDL-CEN00002878	3/25/98	cA2 Marketing Plan U.S. Crohn's Indication Launch	
2863			5/8/06	“The Pink Sheet” re ASP Calculation Rankles IG; Drugs to Face Dropping Reimbursement Rates?	
2864	MDL-CEN00103705	MDL-CEN00103710	8/20/02	Legislative Update Representative Greenwood	
2865			April 1986	Congressional Budget Office Physician Reimbursement Under Medicare: Options for Change	
2866			Undated	Ortho Oncology Sales Franchise Sales Training Process	

\* The J&J Defendants' Trial Exhs. 2784-D to 2875-FF and 2798 are admissible pursuant to FED. R. EVID. 1006, this material shall be deemed admissible. The data and information underlying these exhibits have been produced to plaintiffs' counsel.

Dated: October 10, 2006

/s/ William F. Cavanaugh, Jr.

William F. Cavanaugh, Jr.

Andrew D. Schau

Erik Haas

Adeel A. Mangi

Mark Young

Niraj J. Parekh

**PATTERSON BELKNAP WEBB & TYLER LLP**

1133 Avenue of the Americas

New York, New York 10036-6710

(212) 336-2000

**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Niraj J. Parekh, hereby certify that I am one of the J&J Defendants' attorneys and that, on October 10, 2006, I caused copies of **THE J&J DEFENDANTS' DISCLOSURES PURSUANT TO FED R. CIV. P. 26(a)(3)(A)** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve and a hard copy of the J&J Defendants' Trial Exhibits by overnight mail to the following:

Steve W. Berman  
Hagens Berman Sobol & Shapiro LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101

John A. Macorella, Esq.  
Spector Roseman & Kodroff  
1818 Market Street  
Suite 2500  
Philadelphia, PA 19103

Donald E. Haviland, Jr.  
The Haviland Law Firm  
740 S. Third Street, 3rd Floor  
Philadelphia, PA 19147

Kenneth A. Wexler  
The Wexler Firm LLP  
One North LaSalle Street, Suite 2000  
Chicago, IL 60602

/s/ Niraj J. Parekh